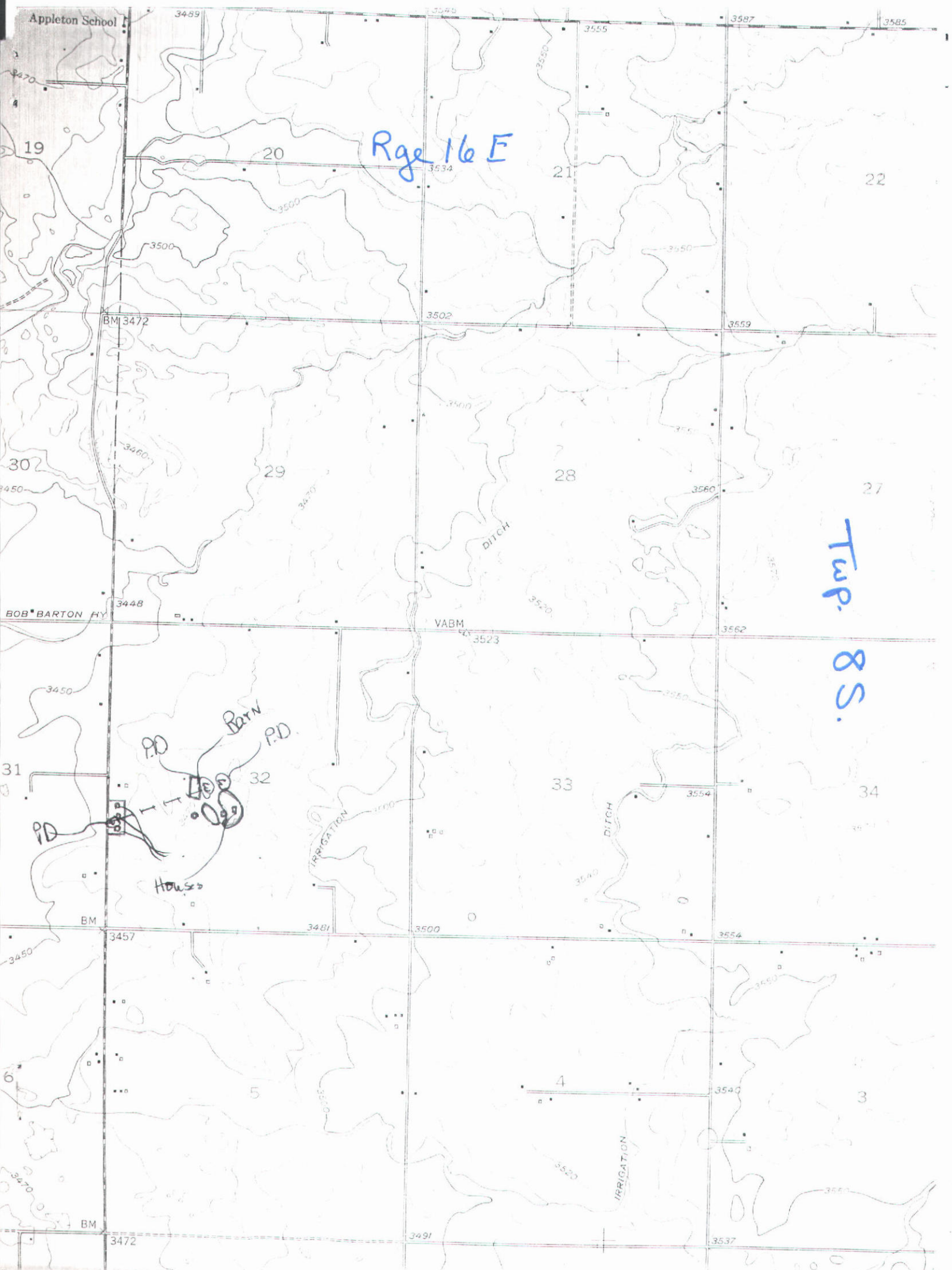


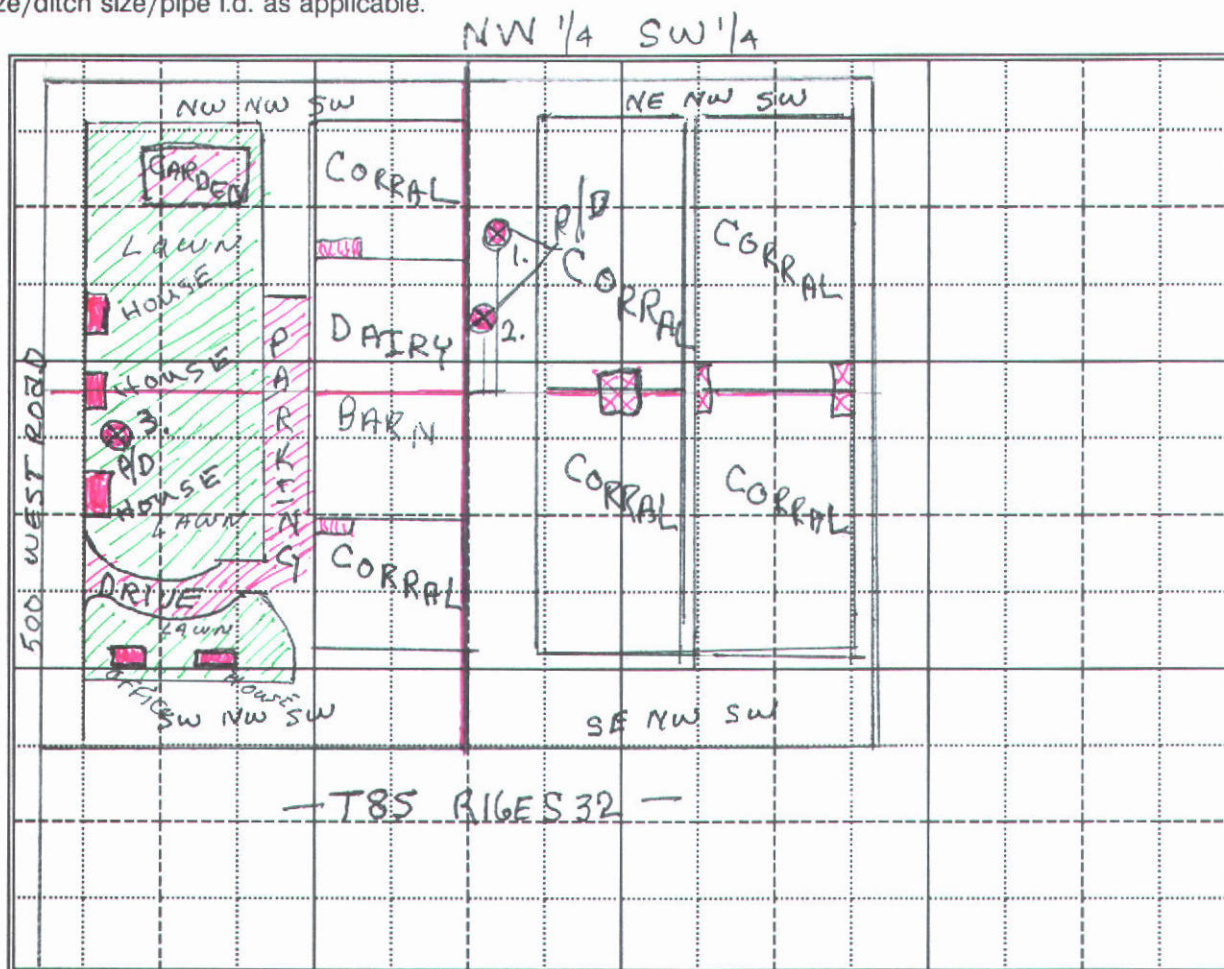
11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Jane Cantone
(Applicant)

MICROFILMED

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = NOT TO SCALE

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
1	HITACHI	15	unk	RED-JACKET	
2	HITACHI	7.5	unk	RED-JACKET	
3	GRUENFOS	3	unk	GRUENFOS	

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

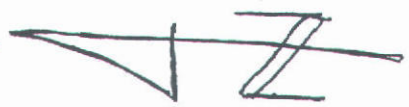
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
PSI/GPM Flowmeter	PSI/gpm	WILKINS	600	—	—	

2. **Measurements:** PSI TAKEN FROM flowmeter @ 40 PSI
 NO GPM READING RECORDED SYS Cap DETERMINED BY
 THEORETICAL CALCULATIONS FROM DAIRY WORKSHEET.

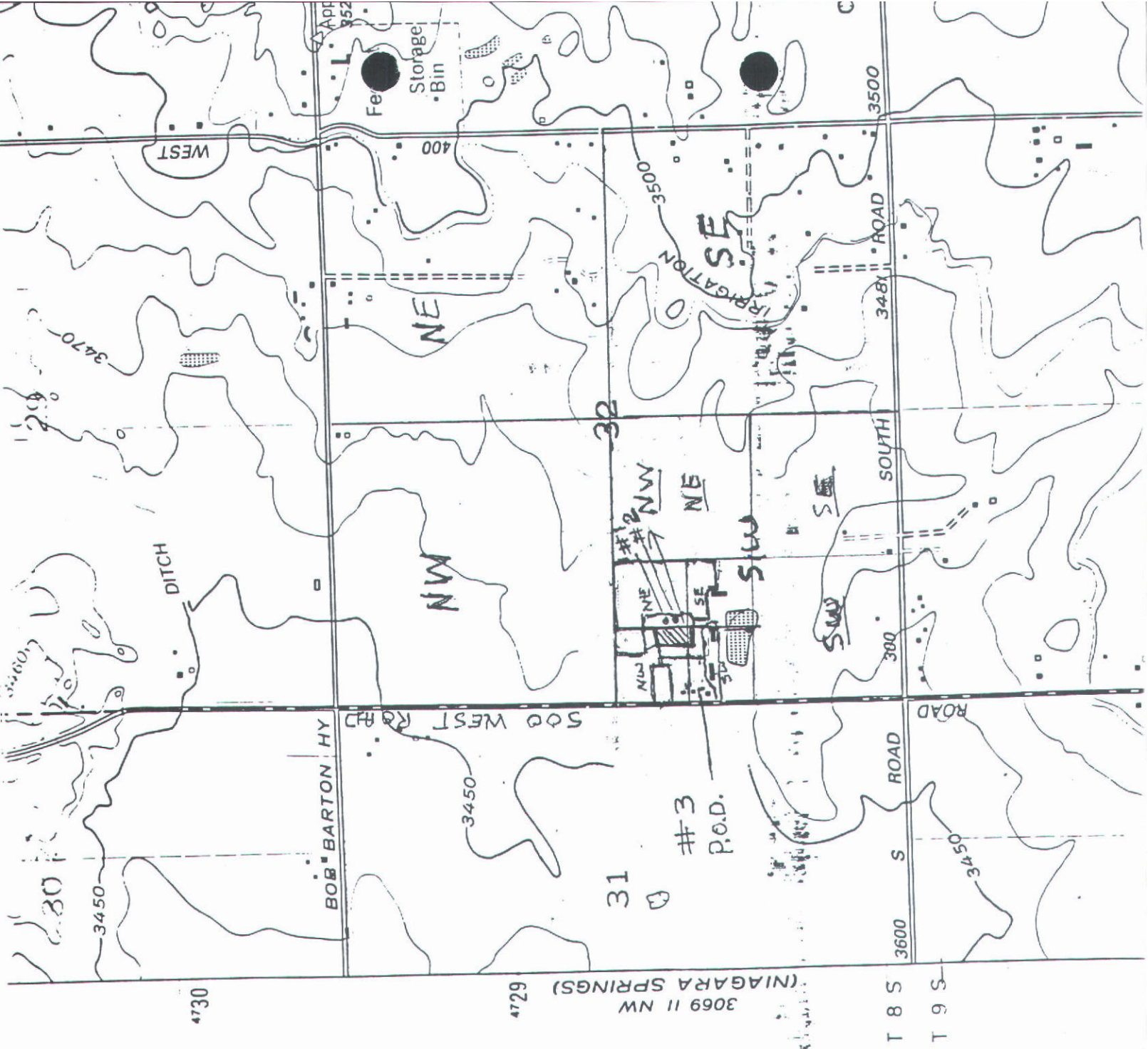
JAN 30 1996

36-08223

- 1. P.O.D. NE/NW/SW
- 2. P.O.D. NE/NW/SW
- 3. P.O.D. SW/NW/SW



RECORDED
JAN 30 1996



36-08223

#1

P.O.D.

for STOCKWATER
&
Commercial



RECEIVED

JAN 30 1996

#2

P.O.D.

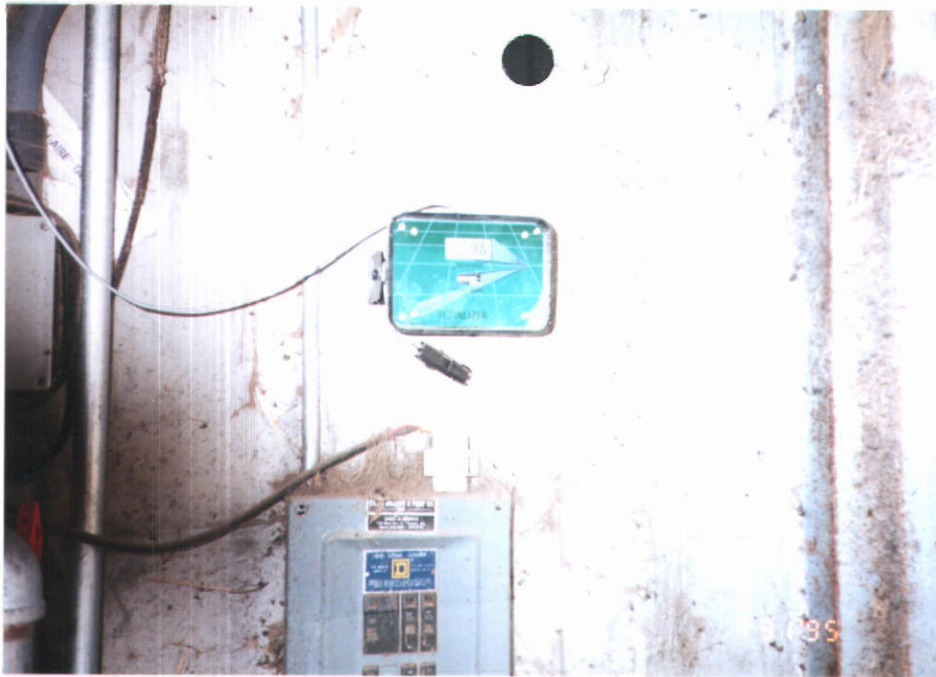
for
STOCKWATER
&
Commercial



36-08223

P.O.D.

TOTALizing flow meter
SHOWING P.S.I.



Pressure
TANK for
Commercial



5. hp BOOSTER pump
for
washers + STOCKWATER
BACK-up.

JAN 30 1996



36-08223



P.O.D.

20 HP BOOSTER pump
FROM STORAGE VAULT
TO WASHERS, SYSTEM
WASH, cleaning + RECYCLED
(TEMPERED WATER) TO STOCK

RECEIVED

JAN 30 1996



36-08223
 P.O.U. STOCKWATER
 for
 1,000 HEAD MILKERS
 LOOKING EAST Along edge
 OF CORRALS

Photomicrograph

JAN 20 1996

P.O.U.
 STOCKWATER
 for 1,000 head
 CALVES + Replacement
 heifers

LOOKING EAST AT
 FAR END of
 RANCH



36-08223

P.O.U.

LAWN IRR

Looking NORTHEAST
from OFFICE TO
MAIN HOME

731'95

P.O.U.

LAWN IRR

Looking SOUTH
ALONG 500 WEST
ROAD



731'95

P.O.U.

LAWN

IRR



JAN 30 1996

731'95

36-08223



P.O.U.
LAWN & GARDEN
BEHIND HOMES
LOOKING SOUTH



P.O.U.
LAWN & PASTURE
GARDEN
LOOKING NORTH
ALONG 500 WEST

JAN 30 1996

36-08223

POINT of DIVERSION for
4 house holds, AND
LAWN & GARDEN
#3



PRESSURE TANK for
ABOVE ←



Diverting works
for Domestic use,
IRR, AND DAIRY
BACKUP

JAN 30 1996

AFFIDAVIT OF PUBLICATION

State of Idaho, }
County of Jerome } SS.

L. E. LANGDON
ASST. PUBLISHER

_____, being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 19th day of February, 1986, and the date of the last publication was on the 26th day of February, 1986.

L. E. Langdon

Subscribed and sworn to before me this 26th day of February, 1986.
(SEAL)

Darla Lott

NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Numer of Picas per Line 13
Number of Lines in Notice 19
Number of Insertions 2

19 Lines tabular at _____ 5¢/Pica
19 Lines straight at 9.88 4¢/Pica
19 Subsequent lines at 7.41 3¢/Pica
TOTAL COST 17.29

COPY OF NOTICE

(Paste Here)

Dept of Water
TITLE OF NOTICE
#36-8223

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water
BUILT TO

Notice of correction for water permit

NOTICE OF CORRECTION

Notice is hereby given that Application for Permit No. 36-8223 in the name of Ted and/or Felice Miller and/or Jane Cantone and/or Ronald Cantone was advertised incorrectly on December 18 and 26, 1985. The place of use was advertised as being within the NENW, NWNW, Sec. 32, T8S, R16E. Whereas, the actual place of use is within the NESW, NWSW, Sec. 32, T8S, R16E.

Any protest to the above correction must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 on or before March 17, 1986.

A. KENNETH DUNN
Director
2-19-2tc

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1984)

7-8 pt. per line straight 4¢/Pica
7-8 pt. per line tabular 5¢/Pica
7-8 pt. per line successive
insertions 3¢/Pica

RECEIVED

No 2331
FEB 27 1986

Idaho Department of Water Resources
Twin Falls District Office

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 36-08223

Priority: March 11, 1984

Maximum Diversion Rate:

0.62 CFS

Maximum Diversion Volume:

113.3 AF

This is to certify, that TED MILLER
JANE LEDBETTER

268 S 500 W
JEROME ID 83338

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 29, 1983; and has submitted Proof of Beneficial Use on December 12, 1990. An examination indicates that the works have a diversion capacity of 0.620 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.15 CFS	20.0 AF
STOCKWATER	01/01 to 12/31	0.62 CFS	54.0 AF
COMMERCIAL	01/01 to 12/31	0.62 CFS	36.9 AF
DOMESTIC	01/01 to 12/31	0.10 CFS	2.4 AF
Totals		0.62 CFS	113.3 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSW, Sec. 32, Township 08S, Range 16E
JEROME County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08S	16E	32	NWSW	5		5

Total number of acres irrigated: 5

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

PLACE OF USE:

COMMERCIAL, same as IRRIGATION use

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.

RECEIVED

APR 30 1996

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 36-08223

CONDITIONS OF APPROVAL AND REMARKS

2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Water used under this right when discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.
6. Three points of diversion are located within NWSW, S32, T08S, R16E.
7. Irrigation use under this right is authorized only in connection with a domestic use.
8. Stockwater use is for 1000 range cattle and 1000 dairy cattle.
9. Commercial use is for a dairy operation.
10. Domestic use is for 4 homes and does not include lawn, garden, landscape, or other types of irrigation.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 26TH
day of JANUARY, 1996.

Acting for


EARL J. DREIER Director

JAN 30 1996

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 36-08223

RECEIVED
JAN 16 1996
Department of Water Resources

Date of Priority: March 11, 1984

Maximum Diversion Rate: 0.62 CFS
Maximum Diversion Volume: 113.3 AF

Comes now

TED MILLER
JANE LEDBETTER

455 BOB BARTON RD
JEROME ID 83338

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 36-08223, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.15 CFS	20.0 AF
STOCKWATER	01/01 to 12/31	0.62 CFS	54.0 AF
COMMERCIAL	01/01 to 12/31	0.62 CFS	36.9 AF
DOMESTIC	01/01 to 12/31	0.10 CFS	2.4 AF
Totals		0.62 CFS	113.3 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 32, Township 08S, Range 16E
JEROME County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08S	16E	32	NWSW	5		5

Total number of acres irrigated: 5

PLACE OF USE:

STOCKWATER, same as IRRIGATION use

PLACE OF USE:

COMMERCIAL, same as IRRIGATION use

PLACE OF USE:

DOMESTIC, same as IRRIGATION use

RECEIVED

JAN 30 1996

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 36-08223

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at Jerome Idaho, this 11th day of January, 1996.

Jane F. Fosteller
(Signature)

RECEIVED

JAN 30 1996

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 36-08223

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = 50.00 Receipted by S. Wyatt # C034650 Date 1/24/96

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 36-08223 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Water used under this right if discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.
6. Three points of diversion are located within NWSW, S32, T08S, R16E.
7. Irrigation use under this right is authorized only in connection with a domestic use.
8. Stockwater use is for 1000 range cattle and 1000 dairy cattle.
9. Commercial use is for a dairy operation.
10. Domestic use is for 4 homes and does not include lawn, garden, landscape, or other types of irrigation.

Witness my hand this 25TH day of JANUARY, 1996.

Acting for

KARL J. DREHER, Director

JAN 30 1996

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 36-8223 IN THE
NAME OF TED MILLER &/OR JANE LEDBETTER

)
) ORDER OF REINSTATEMENT
)
)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before April 1, 1990; and,

WHEREAS, the Department has notified the permit holders by certified mail that proof was due and instructed the permit holders of the steps to be taken to submit the proof of beneficial use; and,

WHEREAS, the Department has notified the permit holders that the permit lapsed for failure of the permit holders to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

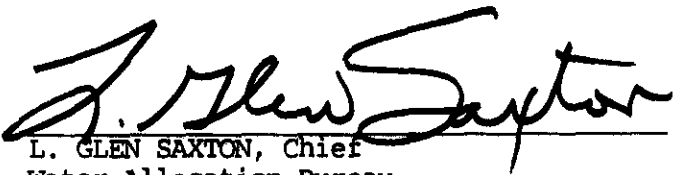
WHEREAS, the permit holders have provided a reasonable showing why the permit should be reinstated by submitting an acceptable proof of beneficial use on December 12, 1990.;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 36-8223 be REINSTATED and the priority advanced to March 11, 1984.

Dated this 18th day of January, 1991.

MICROFILMED

FEB 06 1991


L. GLEN SAXTON, Chief
Water Allocation Bureau

RECEIVED
DEC 12 1990

STATE OF IDAHO

\$30
10-22-90
C018665
JD

For Office Use Only
Amt. of Fee \$ 70.00
Date 12-12-90
Receipt No. 512873
Received by RLB

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 36-8223 Telephone No. _____

Name(s) of Permit Holder(s): Ted Miller

Post Office Address: 455 Bob Barton Rd, Jerome, Id 83338

Source of Water: g.w.

If ground water, well driller's name: _____ Date drilled: _____

Extent of Use:
Domestic 4 (No. of households) Irrigation _____ (No. of acres)

Stockwater 2000 (No. and type of stock) Other commercial-dairy

Total rate and/or volume for which proof is submitted .62 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 1978-1979

One of the following may be a condition of approval of your permit:

Measuring device: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

OR

Flow Measurement Port: Required? ☒ Yes ☐ No Installed? ☐ Yes ☐ No

Fee Enclosed: \$ 100.00 (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

Jane Sedbetter Name 324-4208 Telephone No.

268 N. 500 W., Jerome, Id 83338 Address

MICROFILMED

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

Ted Miller Signature (and title if on behalf of a company or organization)

Date

RECEIVED
DEC 12 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

ASSIGNMENT OF APPLICATION FOR PERMIT

I, Ted Miller, hereby assign to Ted Miller & or Jane Ledbetter
of, % Jane Ledbetter, 268 W. 500 W., Jerome, Id 83338
(Full Address)

All my right, title, and interest in and to Application for Permit
No. 36-8223 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to
Application for Application for Permit No. _____ to appropriate the public
waters of the State of Idaho.

Describe portion of the application assigned listing the number of acres in each 40 acre
subdivision, point of diversion location, and the amount of water in cubic feet per second.

Made this 12th day of December 1990.
X Ted Miller
Applicant

State of Idaho)
County of TF) ss

On this 12th day of Dec, 1990, personally appeared before me the signer of the
above instrument, duly acknowledged to me that he (she) (they) executed the same.

Lois White
Notary Public

seal

MICROFILMED

My commission expires: 5/94

FEB 06 1991

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Permit	36-8223	Miller, Ted Miller, Felice Cantone, Jane Cantone, Ronald	0.62
Full Assignment	36-8223	Miller, Ted Ledbetter, Jane	0.62

MICROFILMED

FEB 06 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Ted ^{and} Felice Miller ^{and} Jarre Cantone ^{and/or Ronald Cantone} Phone 324-3035

Post office address c/o Cantone Rt 2 Box 2487 Jerome, Id 83338

2. Source of water supply ground water which is a tributary of _____

3. Location of point of diversion is ^{2pts} NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 32 Township 8 S.

Range 16 E. B.M. Jerome County, additional points of diversion if any: _____

NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32 Twp 8 S Rge 16 E

4. Water will be used for the following purposes:

Amount .62 cfs for Commercial dairy purposes from 1/1 to 12/31 (both dates inclusive)
(cfs ~~acre-feet per annum~~)

Amount .62 cfs for stock watering purposes from 1/1 to 12/31 (both dates inclusive)
(cfs ~~acre-feet per annum~~)

Amount .10 cfs for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs ~~acre-feet per annum~~)

Amount 0.20 cfs for Irrigation purposes from Mar 15 to Nov. 15 (both dates inclusive)
(cfs ~~acre-feet per annum~~)

5. Total quantity to be appropriated:

a. .62 cfs (gpm) cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 7 1/2 HP pump plan
to increase to 15 hp pump, a 5 hp and a 1 1/2 hp domestic
well are hooked up to dairy for back up purposes

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) 8 (Month/Day) 2 30

c. Proposed well diameter is 8 inches; proposed depth of well is 205 feet.
6 165

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year – maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 32 Township 8 S
Range 16 E B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered 1000 head dairy cattle,
1000 head calves & bred heifers

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water 4.

(5) If water is to be used for other purposes describe: Cleaning and operation of
a 1000 cow dairy including the cooling of the vacuum pumps
and Bulk milk tanks.

MICROFILMED

MICROFILM

[illegible]

Total number of acres to be irrigated 16

c. Describe any other water rights used for the same purposes as described above.

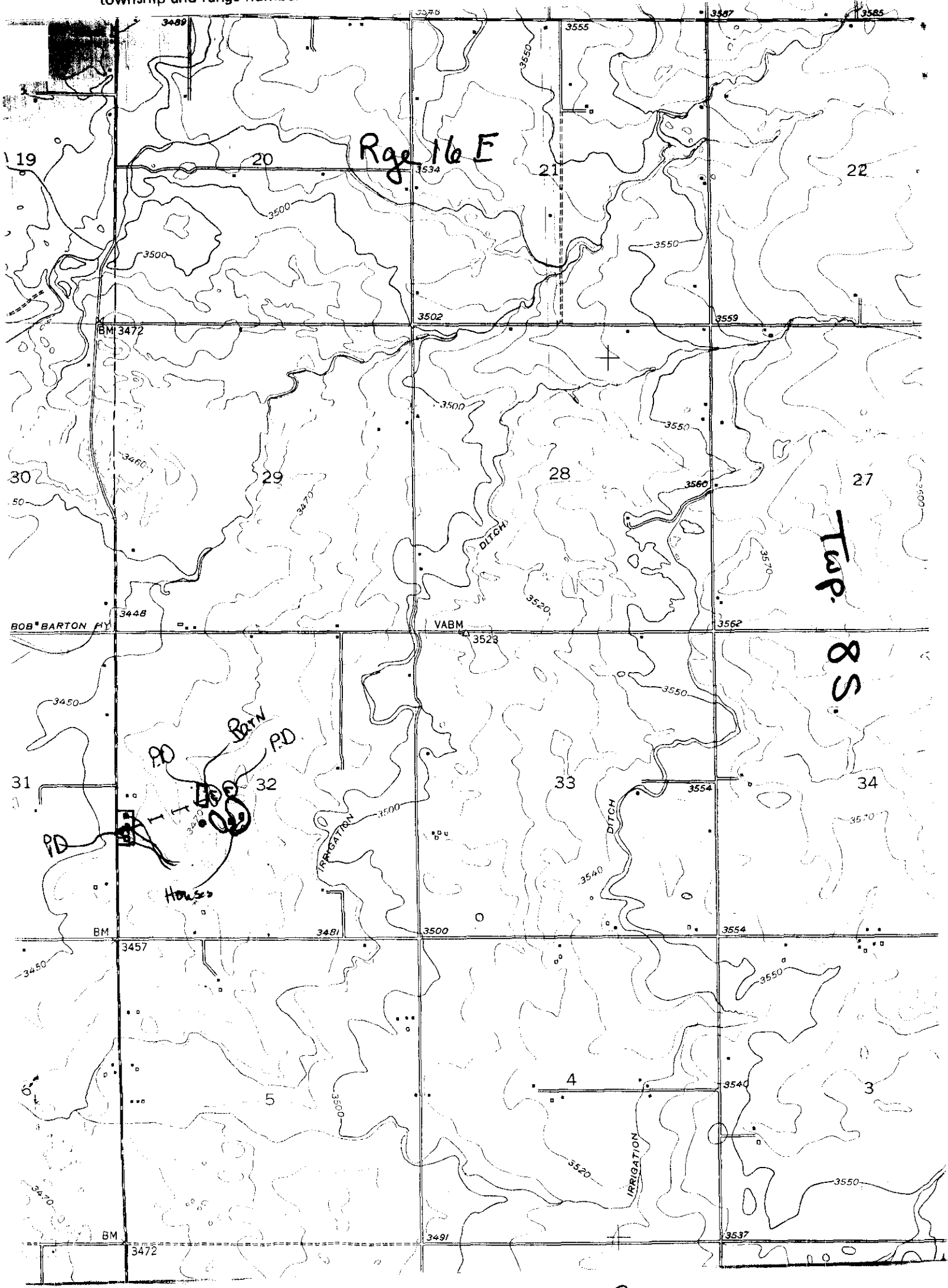
9. a. Who owns the property at the point of diversion Ted & Felice Miller

b. Who owns the land to be irrigated or place of use Ted & Felice Miller

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks There are three wells which are inter connected to provide back up water for the dairy.

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Jane Cantone
(Applicant)

MICROFILMED

Proposed Priority 6/29/83

MICROFILMED

Received by T.G. Blau Date 6-29-83 Time 6:00

Preliminary check by ADM Fee \$ 45⁰⁰

Received by T.G. Blau Date 6-29-83 # 29094

Publication prepared by marrye Date 12/4/85

Published in north side news ^{Correction}

Publication dates 12/18 + 12/25/85 (2/19, 2/26/86)

Publication approved marrye Date 12/16/85 2/21/86

Protests filed by: None

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by ADM kw

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 36-8223, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before April 1, 19 90.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
Irrigation use under this permit is authorized only in connection with a domestic use.

Witness my hand this 30th day of April, 1986.

J. Glen Saylor
Chief, Operations Bureau



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 25, 1996

TED MILLER
JANE LEDBETTER
268 S 500 W
JEROME ID 83338

RE: WATER RIGHT NO. 36-08223

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

JAN 30 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 17, 1996

TED MILLER
JANE LEDBETTER
268 S 500 W
JEROME ID 83338

RE: APPLICATION FOR AMENDMENT FEES

Dear Water Right Holder(s):

We have received your signed Application for Amendment of Water Right No. 36-08223. However, we have not received the application fee of \$50.00. In case you have misplaced the original letter of December 20, 1995, which requests the filing fee, I am enclosing a copy for you. Please remit the fee within 14 days so that your license can be issued.

If you have any questions, please contact me. My telephone number is (208) 327-7947.

Sincerely,

for Shelley Watter Lee
Jim Johnson, Manager
Water Right Permits Section

JJ:rl

Enclosure

*I guess I'm not quite perfect
after all! Thank you for your
patience -*

Jane Ledbetter

JAN 30 1996

C BAR M DAIRY

1295

Invoice	Inv Date	Net
4	01/18/96	50.00

JAN 30 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 17, 1996

TED MILLER
JANE LEDBETTER
268 S 500 W
JEROME ID 83338

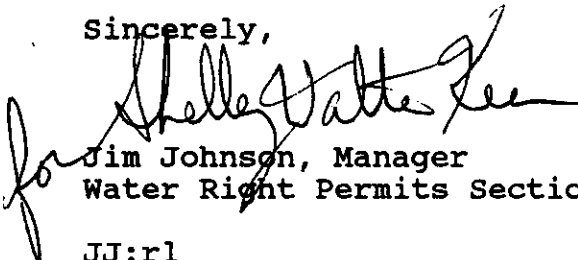
RE: APPLICATION FOR AMENDMENT FEES

Dear Water Right Holder(s):

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If you have any questions, please contact me. My telephone number is (208) 327-7947.

Sincerely,


Jim Johnson, Manager
Water Right Permits Section

JJ:rl

Enclosure

RECEIVED

JAN 30 1996

MEMORANDUM

DATE: January 11, 1996

TO: File 36-08223

FROM: Shelley W. Keen *(SK)*

RE: Phone conversation with Jane Ledbetter (208) 324-7639

=====

Today I spoke with Jane Ledbetter, the holder of permit 36-08223, about my request for a licensing amendment. When I had answered all of Ms. Ledbetter's questions, she indicated she would sign the amendment and send it to me right away.

Ms. Ledbetter also told me that her address is 268 S. 500 W., Jerome, ID, 83338. All future mail should be sent to her at that address.

RECORDED
JAN 30 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 20, 1995

TED MILLER
JANE LEDBETTER
455 BOB BARTON RD
JEROME ID 83338

RE: WATER RIGHT NO. 36-08223

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to depict your water right as it has actually been developed.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion. Please review carefully and if you concur, sign the amendment and return with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

DEC 20 1995

BRENDA

NAME Change OK ☒ Or Address Change?

SOURCE — ✓ Changes or just clarification of originally intended source? _____
Notice of Intent to Void necessary? ~~(X)~~

POINT OF DIV _____ ☒ Amendment needed? _____
 _____ ☒ Overlaps? _____

PLACE OF USE _____
 _____ ☒ Amendment needed? _____
 _____ ☒ Overlaps? _____

DIV RATE _____ Permit/fee limits: .62 CFS
 Permit: IRR .20 - 10 ACRES Meas Q = _____ Theo Q = .62 Recommend: .62
 STOCK .62 - 1000 DAIRY/1000 DRY 5 ACRES X .02 = .10 CFS STOCK = .62
 COM .62 - DAIRY 4 HOUSES/COM = .10 CFS DAIRY = .62
 DOM .10 4 HOUSES/LAWNS Combined rates exceed capacity _____

ANNUAL VOLUME

4 homes x .6 = 2.4 af
(Internal use only)

Volume Limit: _____ Season: C/4.0 (4-1 to 10-31)
Calculations: 5 acres x 4 = 20 af com = 36.9
Cattle volume = 54.0
Flow limit: _____ cfs x _____ x 1.9835 = _____
Combined volumes exceed capacity/allowable _____

USES _____ ☒ Change in Nature of Use or additional uses? _____
Amendment necessary? _____

ADDITIONAL INFO Supplemental Groundwater NO PPU Scenario NO
Irr/Dom Combination YES Shared G/W System NO

NEW REMARKS (3) W32 Multiple p/d(s) in 1/4 1/4? NU/SW 1/4 1/4. DEC 32 TFS R 16 E
W02 + W35 Other + Commercial Use is for a dairy...

NEW CONDITIONS

<u>—</u>	Watermaster control - District <u> </u>
<u>—</u>	Measuring/Locking Devices
<u>R51</u>	Irrigation Overlap
<u>—</u>	Other (KEEP 041) <u> </u>
<u>YES</u>	Water Quality <u>09E</u> Heat/Cool/Fish verified <u> </u>

ADD

COMMENTS: * Amend P/D because originally, 2 pd's were to be in the NESW and 1 in the NWSW... NOW all are in the NWSW.

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	Adjustment Memo Needed
<u>Irrigation</u>	<u>.15</u>	<u>20.0</u>		<u>YES</u>
<u>Commerce</u>	<u>.62</u>	<u>36.9</u>		
<u>Stockwater</u>	<u>.62</u>	<u>54.0</u>		
<u>Domestic</u>	<u>.10</u>	<u>2.4</u>		
<u>TOTAL</u>	<u>.62</u>	<u>113.3</u>		

LICENSE	
1ST AMEND LETTER	<u>P39+P38</u>
2ND AMEND LETTER	<u>P47</u>

MEMORANDUM

RECEIVED

TO: Shelley Keen ^{Syk} Southern Region

SEP 18 1995

FROM: Brenda Chapman

Department of Water Resources
Southern Region

DATE: September 13, 1995

RE: Returning exam for 36-08223

=====

A recommendation to return the exam for ~~36-08223~~ to the region is based on the following:

This permit was for: Irr/10 acres @ .20 cfs (5 Ac Found)
Stockwater @ .62 cfs
Commercial @ .62 cfs
Domestic @ .10 cfs

There are several issues that need to be addressed. They are:

The number of acres listed in the Place of Use section does not match the supplemental Narrative. Five acres are listed in the narrative with no information as to their exact location. Also, there is no information on the exam maps for the p/d locations or where the other uses are located.

The final recommendation for stockwater and also the total cfs recommendation exceeds the permitted amounts. The commercial rate has been reduced with no explanation.

RECEIVED

OCT 19 1995

Department of Water Resources

JAN 30 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
OCT 18 1995

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 36-08223

1. Owner: LED BETTER, GREG + JANE Phone No. (208) 324-3035

Current Address: Route 2 Box 2487 Jerome ID 83338

2. Accompanied by: MR Ledbetter EXAM DATE: 07-31-95

Address: Same Phone No. Same

Relationship to Permit Holder: owner

3. Source: Groundwater tributary to ---

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
1		NE	NW	SW	32	08S	16E	Jerome	USGS QUADRANGLE
2		NE	NW	SW	32	08S	16E	Jerome	USGS QUADRANGLE
3		SW	NW	SW	32	08S	16E	Jerome	USGS QUADRANGLE

2. Place(s) of Use:

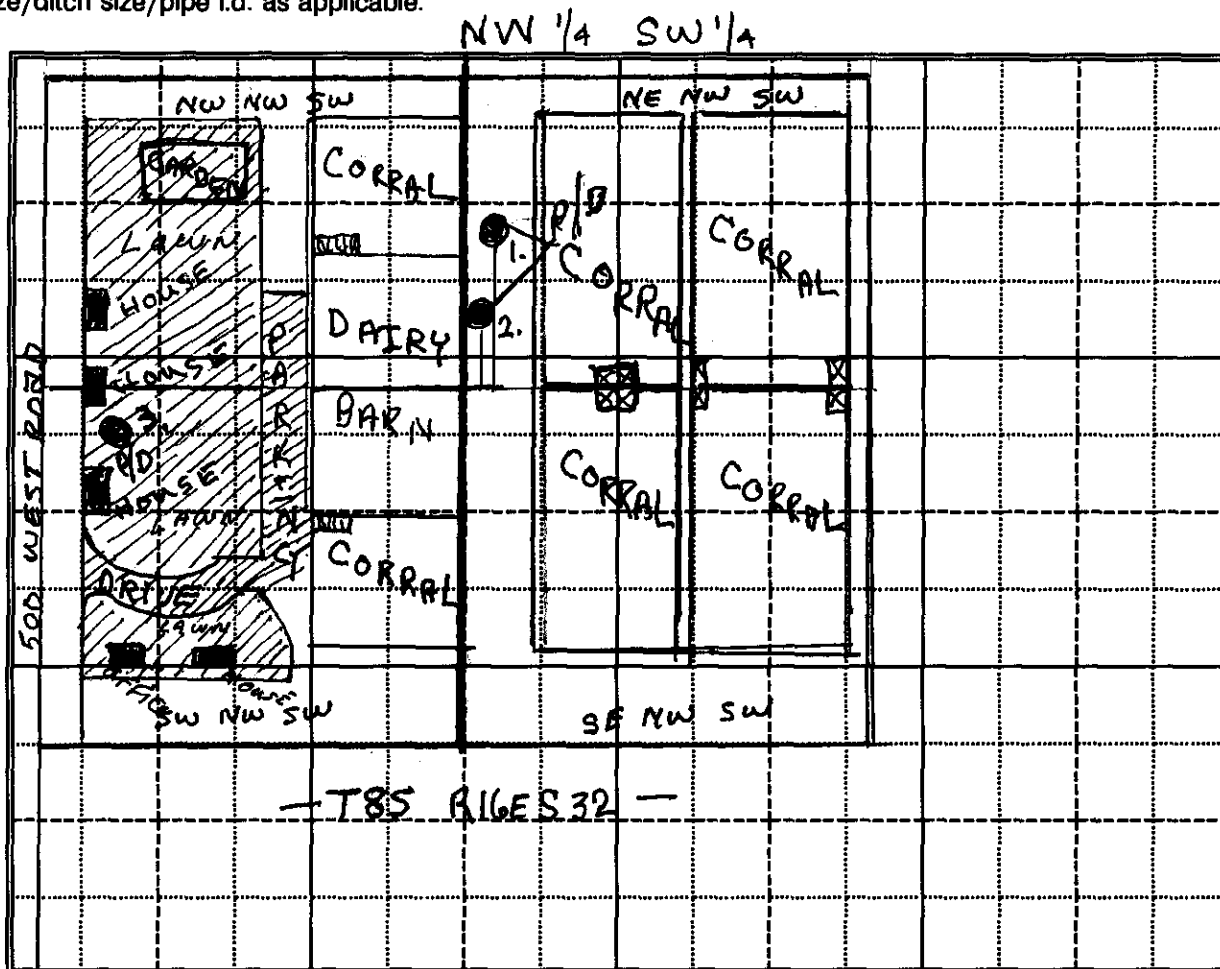
Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	16E	32						NW	2.5										2.5 AC
08S	16E	32						SW	2.5										2.5 AC
08S	16E	32						NW	C										
08S	16E	32						NE	S										
08S	16E	32						SW	O										
08S	16E	32						NW	O										

JAN 30 1996

* See adjustment memo. *RC*

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = NOT TO SCALE

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☐ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
1	HITACHI	15	unk	RED-JACKET	
2	HITACHI	7.5	unk	RED-JACKET	
3	GRUENFOS	3	unk	GRUENFOS	

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
PSI/GPM Flowmeter	PSI/gpm	wilsons	600	—	—	

2. **Measurements:** PSI TAKEN FROM flowmeter @ 40 PSI
 NO GPM Reading RECORDED SYS Cap DETERMINED BY
 THEORETICAL CALCULATIONS FROM DAIRY WATERSHEET.

JAN 30 1996

E. NARRATIVE/REMARKS/COMMENTS

PLEASE REFER TO ATTACHED NARRATIVE

Lined area for narrative/remarks/comments.

Have conditions of permit approval been met? ☒ yes ☐ no

RECORDED
JAN 30 1996

F. FLOW CALCULATIONSX Additional Computation Sheets AttachedMeasured Method: SEE DAIRY WORKSHEET

Total Capacity from 3 wells = 0.62 cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 5 \text{ ac} \times 4 \text{ FAR} = 20 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .15 \times 214 \times 1.9835 = 63.7 \text{ afa}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 20 \text{ afa}$$

2. Volume Calculations for Other Uses: SEE DAIRY WORKSHEET.**H. RECOMMENDATIONS**

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<u>Domestic</u>	<u>01-01</u>	<u>12-31</u>	<u>0.10</u>	<u>2.4 afa</u>
<u>Irrigation</u>	<u>04-01</u>	<u>10-31</u>	<u>0.15</u>	<u>20 afa</u>
<u>Stockwater</u>	<u>01-01</u>	<u>12-31</u>	<u>0.62</u>	<u>54 afa</u>
<u>Commercial</u>	<u>01-01</u>	<u>12-31</u>	<u>0.62</u>	<u>36.9 afa</u>
			Totals:	<u>.62 cfs</u> <u>113.3 afa</u>

2. Recommended Amendments

☒ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☒ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATIONField Examiner's Name Dallas Lynn Date 07-31-95

Reviewer _____ Date _____

SEAL

JAN 30 1996

MEMORANDUM

TO: File 36-08223 / Jane Ledbetter
FROM: Brenda Chapman
DATE: December 13, 1995
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for Right 36-08223 are based on the information below:

C. DIVERSION AND DELIVERY SYSTEM

2. Place of Use: The place of use location indicated here does not coincide with the two maps in the exam. The entire place of use shown on the maps is located within the NWSW $\frac{1}{4}$. It appears all the uses were inadvertently placed in the wrong column.

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JAN 30 1996

**NARRATIVE 36-08223
C BAR M DAIRY**

Item 1. (Name of Applicant) During the Field Exam with Jane and Greg Ledbetter, it was learned that in 1988, Ted Miller dissolved all partnerships with his daughter Jane Cantone (Ledbetter). Thus either the incorporated name, C Bar M, or Jane and/or Greg Ledbetter should be indicated as the current owner.

Also, Proof of Beneficial Use forms were initiated by both Ted Miller and Jane F Ledbetter, Hers being submitted in April 1990, with a \$100 fee accepted, and His being submitted at the STATE OFFICE in December 1990, with a \$70 fee accepted. When this issue was brought up at the time of the field exam, Jane Ledbetter stated that Ted Miller was not required to submit the latter Proof and would like written confirmation to indicate that.

System:

This system consists of two 8" wells and one 6" well. One 8" drilled 228 ft deep with a dynamic pumping level of 160 ft. The other 8" well drilled to 210 ft with a dynamic pumping level of 162 ft. The 6" well is drilled to 230' with a dynamic pumping level at 159'. Water is diverted by a 15 hp submersible Red Jacket, a 7.5 Red Jacket pump, and a 3 hp Grundfos pump into two 65 gal pressurized tanks with an operating range of 40 PSI as indicated by a Wilkens-600 GPM/PSI totalizing meter.

Commercial component:

Water is then diverted to the automatic/manual cleaning system of the Dairy and then recovered in a tempered water storage vault. The recovered water is supplied from the storage vault via a 20 hp and 5 hp booster pump system and supplies water to the washing system. The washing system consists of 47 rain-bird sprinklers producing 4.9 gpm per washing. Washing last an average of 3.5 minutes in length.

$47 \times 4.9 \text{ gpm} = 230 \text{ gpm} = .5 \text{ cfs}$. The diversion rate permitted is .62, the system capacity is .62 cfs. Afa recommended is 36.9 afa as calculated in the Dairy Worksheet. This along with the fee submitted is the basis for the recommendation.

Stockwater component:

The system for the stockwater is basically the same as above. Water is diverted to 12 corrals equipped with water level sensing switch troughs. Live water is utilized when the recycling component in the (tempered water) vault does not have an ample supply to divert to the troughs. Headcount made puts Milking Stock at 1000, while Dry Cow and Replacement Calf numbers are also at 1000 head. The diversion rate permitted is .62, the system capacity is .62 cfs. The afa recommended as calculated in the Dairy worksheet is 34.0 afa. This along with table 13 Field Examiners Handbook and the fee submitted is the basis for the recommendation.

JAN 30 1996

Domestic/Irrigation component of the Permit:

Water is connected to the Dairy operation, regulated by valve, but is not utilized unless the main systems were to fail. Water is however diverted to 4 homes and 5 acres of irrigatable lawn, (2.5ac located in the NW NW SW, and 2.5ac located in the NW NW SW of TWP 8S RGE 16E SEC 32), and garden spaces. (see photos)

4 houses X 0.6 = 2.4 afa
allow 0.10 cfs filed on for domestic.

Allow 0.03 cfs per acre for small acerages up to 5 acres.
5 acres X 0.03 cfs = 0.15 cfs

[Handwritten signature]
JAN 30 1996

FILE # OF NAME ----- 36-8223
 REVIEWER ----- drt
 DATE ----- 20-Sep-95

IDAHO DEPARTMENT OF WATER RESOURCES
 DAIRIES: WATER USE WORKSHEET

REQUIRED DAIRY DATA

NUMBER OF MILKING CATTLE ----- 1000
 NUMBER OF NONMILKING CATTLE ----- 1000
 IF LAGOON IS AEROBIC, ENTER ITS SURFACE AREA IN ACRES;
 IF ANAEROBIC, ENTER ZERO ----- 0.0
 EVAPOTRANSPIRATION FACTOR FOR AREA (AC-FT/AC-YR) ----- 0
 ENTER 1 FOR MANUAL COM WASHING, 2 FOR AUTOMATIC, OR 3 IF
 SPRINKLERS ARE USED TO FLUSH HOLDING PEN AND WASH COMS -
 NUMBER OF MILKINGS PER DAY ----- 2

CALCULATIONS

DIVERSION RATE FOR STOCKWATER (CFS): ****
 MILKING CATTLE 235 GPD/HD ----- 0.65
 MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * --- 0.65
 NONMILKING CATTLE 212 GPD/HD ----- 0.22
 NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * --- 0.22
 TOTAL (BASED UPON ROUNDED NUMBERS) ----- 0.87

DIVERSION VOLUME (AFA):

STOCKWATER
 MILKING CATTLE 235 GPD/HD ----- 39.2
 MILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * --- 40.0
 NONMILKING CATTLE 212 GPD/HD ----- 13.4
 NONMILKING CATTLE (NUMBER OF CATTLE ROUNDED UP) * --- 14.0
 TOTAL (BASED UPON ROUNDED NUMBERS) ----- 54.0

COMMERCIAL
 WASHING OF BULK TANK AND RELATED EQUIPMENT ----- 0.4
 PARLOR FLOOR AND MILKHOUSE FLOOR ----- 0.1
 CATTLE WASHING BASED UPON METHOD OF WASHING ----- 36.4
 TOTAL ----- 36.9

CONSUMPTIVE USE VOLUME (AFA):

STOCKWATER
 MILKING ----- 5.8
 NONMILKING ----- 0.0
 TOTAL ----- 5.8
 COMMERCIAL ----- 0.0
 TOTAL CONSUMPTIVE USE ----- 5.8

THEORETICAL FLOW ESTIMATION

REQUIRED PUMP INFORMATION

	PUMP 1	PUMP 2	PUMP 3
PUMP HORSEPOWER (HP)	15.00	7.50	3.00
LIFT (FT)	160	162	159
DISCHARGE PRESSURE (PSI)	40	40	40
FRICTION LOSSES (FT)	0.0	0.0	

CALCULATIONS

THEORETICAL FLOW RATE (CFS) ** ----- 0.37 + 0.18 + 0.07 = 0.62 cfs
 DIVERSION VOLUME (AFA) *** ----- 265.0 131.5 53.2

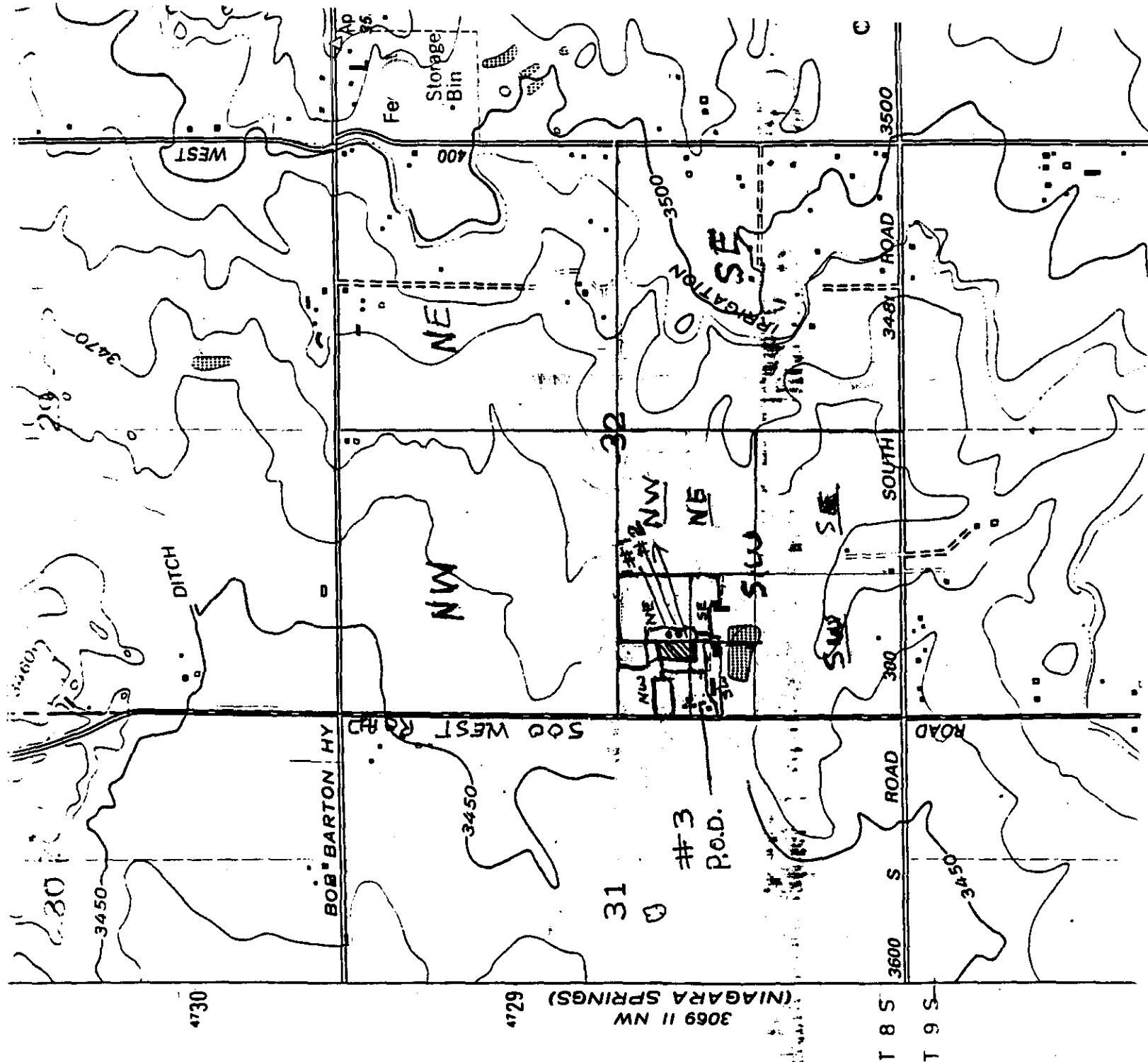
* NUMBER OF CATTLE ROUNDED UP TO AGREE WITH EXISTING TABLES.
 ** PUMP EFFICIENCY WAS ASSUMED TO BE 70%.
 *** THEORETICAL FLOW RATE IS THE ABSOLUTE MAXIMUM VOLUME BASED ON
 THE THEORETICAL FLOW RATE ASSUMING PUMP RUNS CONTINUOUSLY
 EVERY DAY OF THE YEAR.
 **** BASED ON 2 HOUR DIVERSION TO MEET VOLUME

holding pen wash
 47 RAINBOW SPRINKLER @ 4.9 GPM
 47 x 4.9 = 230 GPM
 230 GPM = .5 cfs

JAN 30 1996

1. P.O.D. NE/NW/SW
2. P.O.D. NE/NW/SW
3. P.O.D. SW/NW/SW

JAN 30 1996



WL - DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER

Name Ted Miller

Address Jerome, FEB 9 - 1990

Owner's Permit No. 36-89-S-050 ^{OK} Department of Water Resources
Southern Region Office

2. NATURE OF WORK

☐ New well
☐ Deepened
☒ Replacement

☐ Well diameter increase

☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

3. PROPOSED USE

☒ Domestic
☐ Irrigation
☐ Test
☐ Municipal

☐ Industrial
☐ Stock
☐ Waste Disposal or Injection

☐ Other _____ (specify type)

4. METHOD DRILLED

☒ Rotary
☐ Air
☐ Hydraulic
☐ Reverse rotary

☐ Cable
☐ Dug
☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
<u>.250</u> inches	<u>6 5/8</u> inches	<u>0</u> feet	<u>-20</u> feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☐ Yes ☒ No

Was a packer or seal used? ☐ Yes ☒ No

Perforated? ☐ Yes ☒ No

How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun

Size of perforation _____ inches by _____ inches

Number	From	To
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ No

Manufacturer's name _____

Type _____ Model No. _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal depth 19 Material used in seal: ☐ Cement grout

☐ Bentonite ☒ Puddling clay ☐ _____

Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing

☒ Overbore to seal depth

Method of joining casing: ☐ Threaded ☐ Welded ☐ Solvent Weld

☐ Cemented between strata

Describe access port _____

6. LOCATION OF WELL

Sketch map location must agree with written location.

N

X

W

E

S

Subdivision Name _____

Lot No. _____ Block No. _____

County Jerome

NW SW Sec. 32 T. 8S R. 16E

7. WATER LEVEL

Static water level 159 feet below land surface.

Flowing? ☐ Yes ☒ No G.P.M. flow _____

Artesian closed-in pressure _____ p.s.i.

Controlled by: ☐ Valve ☐ Cap ☐ Plug

Temperature _____ OF. Quality _____

Describe artesian or temperature zones below.

8. WELL TEST DATA

☒ Pump ☐ Bailor ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
10	0	9	Top Soil		X
9	9	21	Gray Basalt		
8	21	32	Crevice		
	32	52	Crevice - Broken s/soft spots		
	52	57	Broken		
	57	62	Med Hard		
	62	70	Broken w/soft spots		
	70	79	Med Hard		
	79	82	Med Hard = Large breaks		
	82	95	Med Hard small broken		
	95	97	Med Hard		
	97	102	Large breaks		
	102	110	Med Hard		
	110	115	Broken w/soft spots		
	115	129	Med Hard w/sm. breaks		
	129	137	lg. Broken w/soft spots		
	137	147	Med Hard w/small breaks		
	147	153	Broken		
	153	169	Med Hard		X
	169	174	Soft		X
	174	182	Med Hard w/large breaks		X
	182	192	Med Hard w/sm. breaks		
	192	200	Med Hard		
	200	202	Large breaks		
	202	207	Med Hard		
	207	213	Med Hard w/small breaks		
	213	227	Med Hard		
	227	230	Med Hard w/large breaks		X

10.

Work started 6/13/89 finished 6/14/89

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name SMITH DRILLING & PUMPING CO. INC.

Address Jerome Date 8/1/89

Signed by (Firm Official) [Signature]

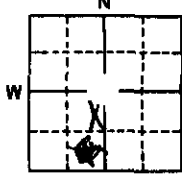
and (Operator) Melton K Robb

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

RECEIVED

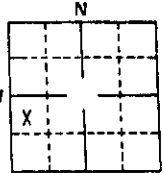
JUN 20 1984

1. WELL OWNER Name <u>C-M Dairy</u> Address _____ Owner's Permit No. _____		7. WATER LEVEL Static water level <u>164</u> feet below land surface Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ OF. Quality _____ <i>Describe artesian or temperature zones below.</i>																																																																																																																																																		
2. NATURE OF WORK ☐ New well ☐ Deepened ☒ Replacement ☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)		8. WELL TEST DATA NONE ☐ Pump ☐ Bailor ☐ Air ☐ Other _____ <table border="1"><thead><tr><th>Discharge G.P.M.</th><th>Pumping Level</th><th>Hours Pumped</th></tr></thead><tbody><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></tbody></table>		Discharge G.P.M.	Pumping Level	Hours Pumped																																																																																																																																														
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6. LOCATION OF WELL Sketch map location must agree with written location.  Subdivision Name _____ Lot No. _____ Block No. _____ County <u>Jerome</u> NE 1/4 SW 1/4 Sec. 32, T. 8S, R. 16E, W. 1/4		12. DRILLER'S CERTIFICATION JAN 30 1986 Firm Name <u>SMITH DRILLING & PUMPING CO., INC.</u> Address _____ Date <u>6/26/84</u> Signed by (Firm Official) <u>[Signature]</u> and <u>[Signature]</u> (Operator)																																																																																																																																																		

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

USE TYPEWRITER OR
BALLPOINT PEN

State law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

1. WELL OWNER Name <u>C-M DAIRY</u> Address <u>268B South, 500 West Jerome,</u> Owner's Permit No. <u>36-93-S-0287-000</u>		7. WATER LEVEL Static water level <u>160</u> feet below land surface. Flowing? ☐ Yes ☒ No G.P.M. flow _____ Artesian closed-in pressure _____ p.s.i. Controlled by: ☐ Valve ☐ Cap ☐ Plug Temperature _____ °F. Quality _____ <i>Describe artesian or temperature zones below.</i>																																																																																																																																																																																																																																																																					
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		Work started <u>7/26/93</u> finished <u>7/27/93</u>																																																																																																																																																																																																																																																																					
5. WELL CONSTRUCTION Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____ Thickness _____ Diameter _____ From _____ To _____ <u>250</u> inches <u>8 5/8</u> inches <u>0</u> inches <u>2</u> feet <u>166</u> feet _____ inches _____ inches _____ feet _____ feet _____ inches _____ inches _____ feet _____ feet _____ inches _____ inches _____ feet _____ feet Was casing drive shoe used? ☐ Yes ☒ No Was a packer or seal used? ☐ Yes ☒ No Perforated? ☐ Yes ☒ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches Number _____ From _____ To _____ _____ perforations _____ feet _____ feet _____ perforations _____ feet _____ feet _____ perforations _____ feet _____ feet Well screen installed? ☐ Yes ☒ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____ Placed from _____ feet to _____ feet Surface seal depth _____ Material used in seal: ☐ Cement grout ☐ Bentonite ☐ Puddling clay ☐ _____ Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing ☐ Overbore to seal depth Method of joining casing: ☐ Threaded ☐ Welded ☐ Solvent Weld _____ ☐ Cemented between strata Describe access port _____		11. DRILLERS CERTIFICATION I/We certify that all minimum well construction standards were complied with at the time the rig was removed SMITH DRILLING & PUMP CO., Firm Name _____ Address <u>Jerome</u> Signed by (Firm Official) <u>[Signature]</u> and (Operator) <u>MJ</u> JAN 30 1996																																																																																																																																																																																																																																																																					
6. LOCATION OF WELL Sketch map location must agree with written location.  Subdivision Name _____ Lot No. _____ Block No. _____ County <u>JEROME</u> <u>NW 1/4 SW 1/4 Sec. 32, T. 8S, N.R. 16E/W.</u>																																																																																																																																																																																																																																																																							

T 8S R 16E S 32
NW/SE

36-08223

#1

P.O.D.

for STOCKWATER
&
Commercial



RECEIVED

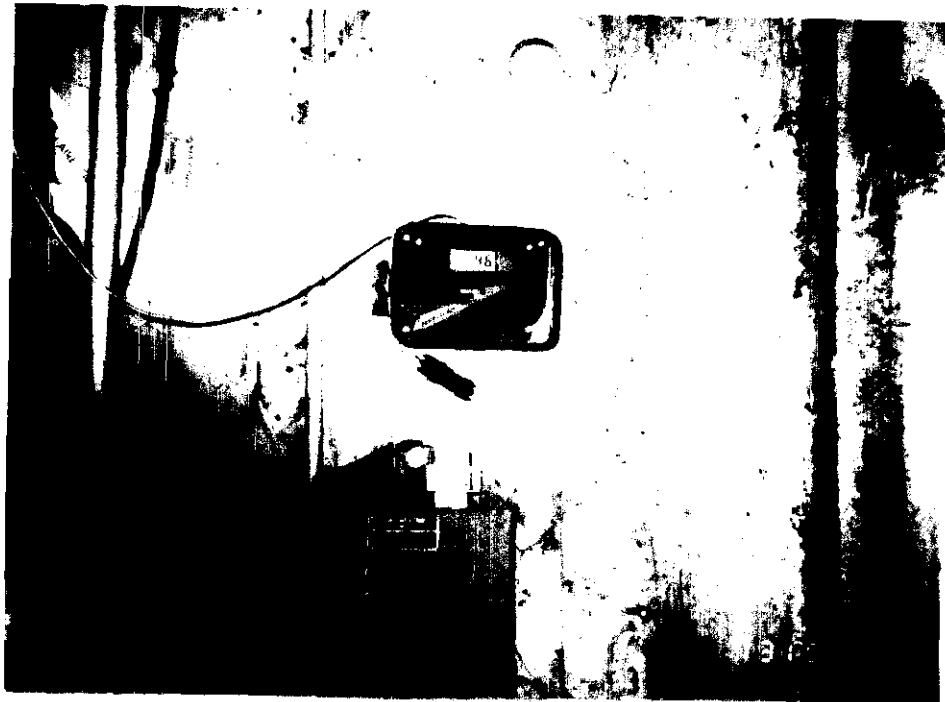
JAN 30 1996

#2

P.O.D.

for
STOCKWATER
&
Commercial





36-08223

P.O.D.

TOTALizing flow meter
SHOWING P.S.I.

Pressure
TANK for
Commercial



5, hp BOOSTER pump
for
WASHERS + STOCKWATER
BACK-UP.

JAN 30 1996



P.O.D.

20 HP BOOSTER pump
FROM STORAGE VAULT
TO WASHERS, SYSTEM
WASH, cleaning + RECYCLED
(TEMPERED WATER) to stock

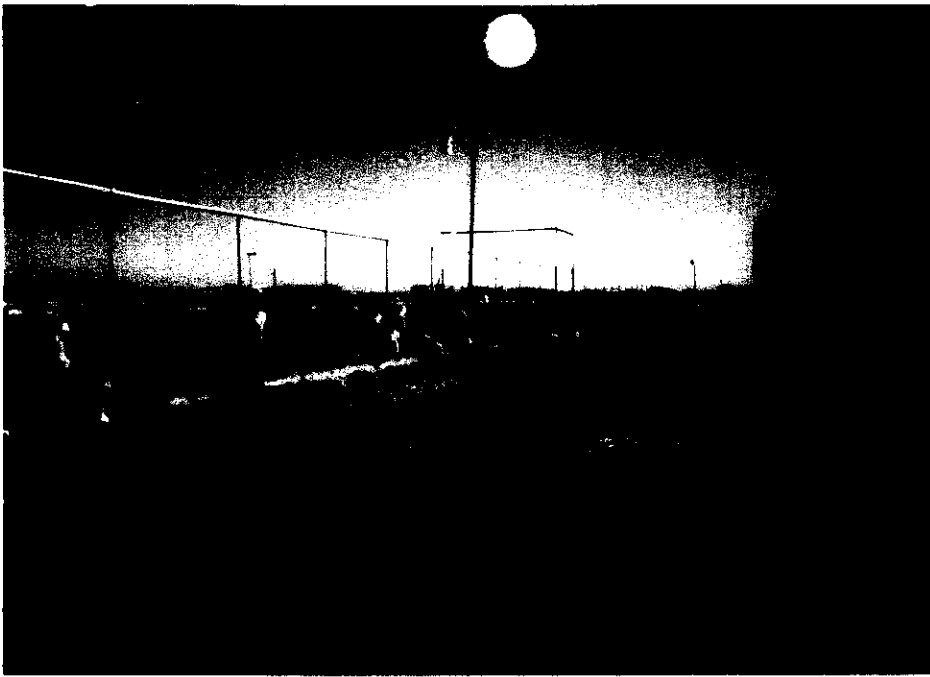
RECEIVED

JAN 30 1996

36-08223

P.O.U. STOCKWATER

for
1,000 HEAD MILKERS
LOOKING EAST ALONG edge
OF COSTALS



RECORDED

JAN 20 1966

P.O.U.
STOCKWATER
for 1,000 head
CALVES + replacement
heifers

LOOKING EAST AT
FAR END of
RANCH



36-08223

P.O.U.

LAWN IRR

Looking NORTHEAST
from OFFICE TO
MAIN HOME



P.O.U.

LAWN IRR

Looking SOUTH
Along 500 WEST
Road



P.O.U.

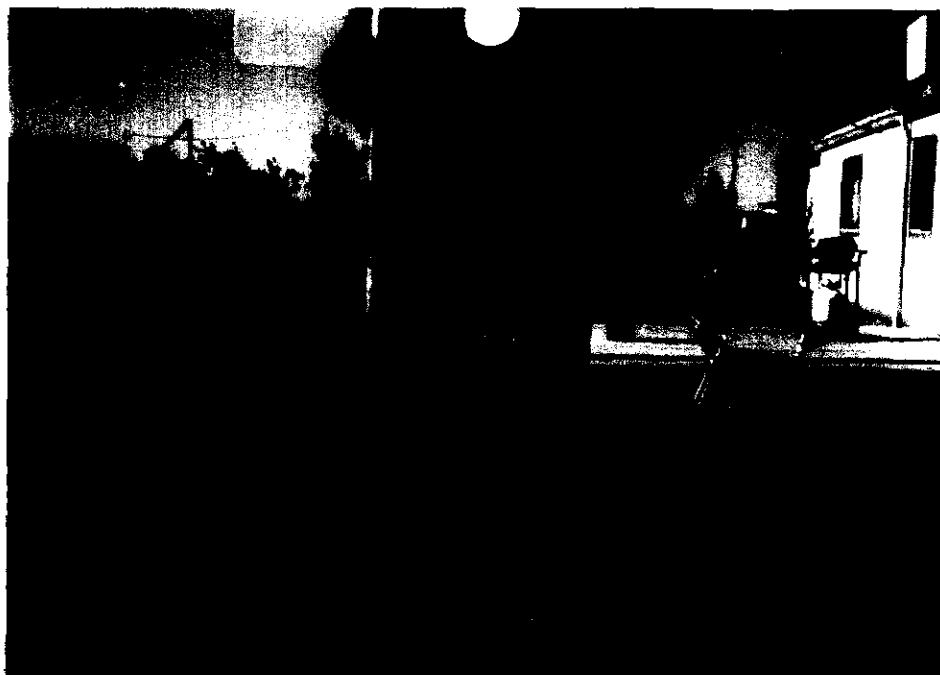
LAWN

IRR

JAN 30 1996



36-08223



P.O.U.
LAWN & GARDEN
BEHIND HOMES
LOOKING SOUTH



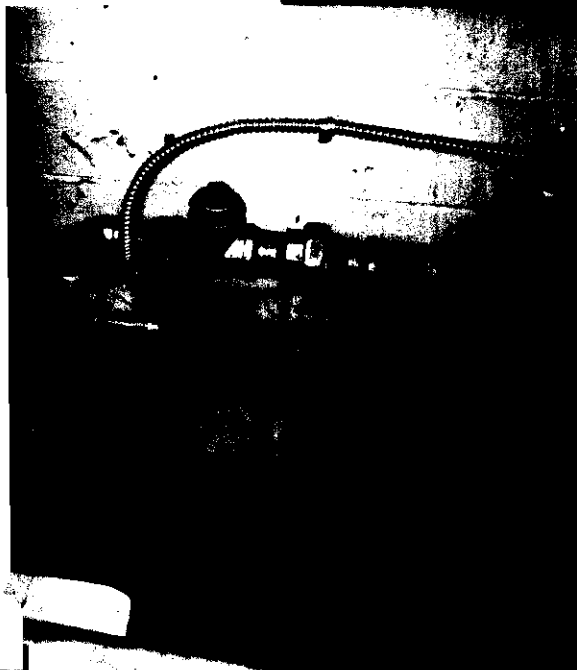
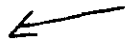
P.O.U.
LAWN & PASTURE
GARDEN
LOOKING NORTH
ALONG 500 WEST

JAN 30 1996

36-08223

NT of DIVERSION for
4 house holds, AND
LAWN & GARDEN
#3

PRESSURE TANK for
ABOVE



Diverting works
for Domestic use,
IRR, AND DAIRY
BACKUP

JAN 30 1996

BENEFICIAL USE FIELD REPORT

FOR 36-08223

RETURNED TO

SOUTHERN REGION

SEPTEMBER 13, 1995

RECEIVED

JAN 30 1996

MEMORANDUM

TO: Shelley Keen ^{Syk} Southern Region

FROM: Brenda Chapman

DATE: September 13, 1995

RE: Returning exam for 36-08223

=====

A recommendation to return the exam for 36-08223 to the region is based on the following:

This permit was for: Irr/10 acres @ .20 cfs
Stockwater @ .62 cfs
Commercial @ .62 cfs
Domestic @ .10 cfs

There are several issues that need to be addressed. They are:

The number of acres listed in the Place of Use section does not match the supplemental Narrative. Five acres are listed in the narrative with no information as to their exact location. Also, there is no information on the exam maps for the p/d locations or where the other uses are located.

The final recommendation for stockwater and also the total cfs recommendation exceeds the permitted amounts. The commercial rate has been reduced with no explanation.


JAN 30 1996

January 22, 1991

JANE LEDBETTER
TED MILLER
268 S. 500 W.
JEROME, ID 83338

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08223

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)734-3578.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

Enclosure

FILED

FEB 6 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 36-8223

Date 1-15-91
~~12-18-90~~

GENERAL CONSIDERATIONS

4 Name same as permit?
4 Address change? If yes, prepare data entry form.
4 Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

4 Surface water source
4 Ground water source
N/A Drill permit req'd? Copy in file?
 Well log in file?
 Amt paid for drilling permit? Correct?

LICENSE EXAMINATION FEE

1 Required?
100.00 Amount submitted?
4 Correct amount?

MEASURING DEVICE

No Measuring device or access port required?
 Installed?
 Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

Proof acceptable

PRIORITY CALCULATION

LB

Date proof received	<u>Dec. 12</u>	<u>346</u>
Date proof due	<u>4-1</u>	- <u>91</u>
No. of days late		= <u>255</u>
Priority date	<u>6-29-83</u>	+ <u>180</u>
NEW PRIORITY DATE	<u>3-11-84</u>	= <u>435</u>
		<u>365</u>
		<u>70</u>

SD-1603-3

Idaho Department Of Water Resources
Detail Receipt Summary Screen

Date: 12/28/95

Time: 15:39:03

Rec/No - C018665 AR/No -
From: - C BAR M DAIRY

Receipt Type - CK Doc/No - 7368
Remarks -

MOST CURRENT RECEIPT

Receipt Date: 12/21/1990

Type Of Payment	Fund	FD	PCA	Obj	Subsid	Fee
PROOF FEE (36-8223)	1238		510122	6490		30.00

Total Due - 30.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
-------	--------	-------	--------	-------	--------

(Enter=Continue)

(GOLD7=Selection Screen)

(GOLD8=Cancel)

*Extension of time
fees applied to
this*

SD-1603-3

Idal. Department Of Water Resou. as
Detail Receipt Summary Screen

Date: 12/28/95

Time: 15:38:42

Rec/No - C018665 AR/No -
From: - C BAR M DAIRY

Receipt Type - CK Doc/No - 7368
Remarks -

BACKOUT RECEIPT

Receipt Date: 12/21/1990

Type Of Payment	Fund	FD	PCA	Obj	Subsid	Fee
EXTENSION OF TIME (36-8223)	1238		510199	6390		-15.00
EXTENSION OF TIME (36-8225)	1238		510199	6390		-15.00

Total Due - -30.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
-------	--------	-------	--------	-------	--------

(Enter=Continue)

(GOLD7=Selection Screen)

(GOLD8=Cancel)

SD-1603-3

Idal. Department Of Water Resou. as
Detail Receipt Summary Screen

Date: 12/28/95
Time: 15:37:51

Rec/No - C018665 AR/No -
From: - C BAR M DAIRY

Receipt Type - CK Doc/No - 7368
Remarks -

OLD RECEIPT

Receipt Date: 10/22/1990

Type Of Payment	Fund	FD	PCA	Obj	Subsid	Fee
EXTENSION OF TIME (36-8223)	1238		510199	6390		15.00
EXTENSION OF TIME (36-8225)	1238		510199	6390		15.00

Total Due - 30.00

WR/No	WR Fee	WR/No	WR Fee	WR/No	WR Fee
-------	--------	-------	--------	-------	--------

(Enter=Continue)

(GOLD7=Selection Screen)

(GOLD8=Cancel)

CONVERSATION MEMORANDUM

NAME OF PARTY TED MILLER
EMPLOYEE: LORI WHITE

DATE 12/11/90 12/12/90
FILE A36-08225

RE: ^{9AM} Ted Miller phoned and was very upset about the Department's inefficiency. After many verbal abuses. Ted stated that Jane has tried to contact the Dept. and resolve these issues several times, but we have not returned her calls. After more abuses and threats. Ted told me to call Jane at 324-4208 and get things straightened out.

9:10 AM Ted Miller phoned again and was very displeased that I had not contacted Jane yet. I told him that I had pulled the file and was in the process of reviewing it when he called. After more verbal abuse, Ted hung up.

9:15 AM Jane called. I explained to her that she needs to meet with a WR agent concerning the lapsed permits. She stated that she submitted the proofs for 36-08225 & 36-08223 with a check dated Oct. 18, 1990. This was coordinated through Gary Funderberg, Rita Fleck and Glen Saxton. I explained to Jane that we were concerned with the adjudication claim for A36-08225 claimed with a statutory 1941 priority date rather than the actual permit priority date of 1983. Jane stated that she had no idea of anything existing in 1941 because they didn't own the property back then and she wasn't even born yet.

Due to the above explanation, A36-08225's recommended priority date will be based on the permit priority date of 6/26/1983 rather than the claimed priority date of 6/15/1941. The recommendations for this claim will be reflected by the permit results.

12/12/90--8:30AM Talked to Rita concerning the Ted Miller case. She explained how involved and drawn out the WR issues have become, specifically concerning assignments and lapsed permits. She suggested setting up a meeting with Ted to straighten everything out.

8:40AM Called Jane to get Ted's phone number. Told her that Rita wanted to set up a meeting. Jane said Ted was busy and couldn't travel to Boise. I discussed the adjudication claim A36-08225 priority discrepancy again and Jane re-confirmed the fact that they weren't there in 1941 and had no idea what existed then. She said to base the adjudication claim on the permit.

9:00AM Ted agreed to meet Rita at 3:00PM today, 12/12/90, to straighten things out.

RECEIVED
FBI/DOJ

APR 19 1991

JAN 30 1996

EXPENDITURE VOUCHER

AUDITOR USE

AGENCY USE

2959
Date 10/01/90
Code 193002

VENDOR: If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME: DEPT. OF WATER RESOURCES

Document No.	
Pre-Audit	Date
Warrant No.	

PAY

TO

TED &/OR FELICE MILLER &/OR
JANE &/OR RONALD CANTONE
C/O THEODORE Z. MILLER
455 BOB BARTON RD.
JEROME, ID 83338

CHECK ONE:

(1) MISCELLANEOUS EXPENDITURE

() STATE CONTRACT

() PURCHASE ORDER

() MISCELLANEOUS
ENCUMBRANCE REQUISITION

PAYMENT: () PARTIAL () FINAL

Encumbrance Reference No.

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Major	Minor			
1	05 40 122	1238	8831		REFUNDS PER RITA FLECK WR#36-8223/36-8225 9/26/90 200.00	200.00	

INDEXED
FILMED
FEB 16 1991

NOTE: Final payment must be accompanied by a receiving copy

TOTAL

200.00

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service; that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

Date

Head of Agency or Institution

State Auditor

MEMORANDUM

DATE: September 26, 1990

TO: FISCAL SECTION

FROM: Nina Shields or Rita Fleck

RE: REFUND - Permit Nos. 36-8223 & 36-8225

Please prepare a refund of \$200.00 (receipt No. S011802). Attached is a copy of a letter which explains why the refund is necessary.

Also, please reference the identification number on any papers returned to me for the file. Thanks.

Attachments: letter
receipt

UNCLASSIFIED

FEB 6 1991

September 26, 1990

Ted and/or Felice Miller &/or
Jane &/or Ronald Cantone
c/o Theodore Z. Miller
455 Bob Barton Rd.
Jerome, ID 83338

Dear Mr. Miller:

Re: Permit Nos. 36-8223 and 36-8225

LAPSE NOTICE

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, the above referenced permits lapsed. This office did not receive either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time or responses to our letters. No further construction or additional development is authorized under these permits unless they are reinstated.

Your permits cannot be reinstated unless you submit the proof of beneficial use or submit an extension of time request showing reasonable cause for delay. Either the completed proof of beneficial use submittal including the examination fee or a completed field examination report or the extension request form together with the \$15 fee must be received by this department within sixty days of the date of mailing of this lapse notice or the permits will no longer be of any force or effect.

Proof of beneficial use forms and request for extension of time forms are again enclosed for your use. **NOTE THAT PROOF FEES EVIDENCED BY RECEIPT NO. S011802 (\$100 EACH - \$200) ARE BEING REFUNDED.** The process to return the fees takes several weeks. If you should decide to resubmit the proof forms in an acceptable manner, fees must accompany the forms.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

Enclosures

c: Fiscal Section
S. Region - Steve M.

CERTIFICATION OF MAILING

I hereby certify that on 9-26-90
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

RECEIVED

FEB 06 1991

September 24, 1990

Ted and/or Felice Miller &/or
Jane &/or Ronald Cantone
c/o Theodore Z. Miller
455 Bob Barton Rd.
Jerome, ID 83338

Dear Mr. Miller:

Re: Permit Nos. 36-8223 and 36-8225

LAPSE NOTICE

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, the above referenced permits lapsed. This office did not receive either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time or responses to our letters. No further construction or additional development is authorized under these permits unless they are reinstated.

Your permits cannot be reinstated unless you submit the proof of beneficial use or submit an extension of time request showing reasonable cause for delay. Either the completed proof of beneficial use submittal including the examination fee or a completed field examination report or the extension request form together with the \$15 fee must be received by this department within sixty days of the date of mailing of this lapse notice or the permit will no longer be of any force or effect.

Proof of beneficial use forms and request for extension of time forms are again enclosed for your use. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a governmental agency or by litigation which brings title to the water in question.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

Enclosures

MICROFILMED

FEB 06 1991

CERTIFICATION OF MAILING

I hereby certify that on 9-25-90
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

[Signature]

June 26, 1990

Theodore Z. Miller
455 Bob Barton Rd.
Jerome, ID 83338

Dear Mr. Miller:

Re: Permit Nos. 36-8223 and 36-8225

Pursuant to the telephone conversation with your bookkeeper, enclosed are new forms; an assignment form and two proof of beneficial use forms along with an instruction sheet. Also enclosed are copies of the permits.

Note the first line of each Application for Permit. As the permits are now, each person listed possesses ownership in the water right. It is my understanding that you wish to show only you or the dairy's name as the owner of the water right since you are also the owner of the property. If this is the case, complete and return the assignment form by writing the name of the permit holder as you wish it to be and sign the form before a Notary Public.

If you recall, the problem I had with the previously submitted proofs was that the signature by Mrs. Ledbetter and her interest in submitting the proofs was not apparent. If, however, you complete, sign and return the proofs, there will be no question of authority since the water right permits are also your personal property.

Please return the paperwork soon since the proofs were due on June 1, 1990.

If you have any questions concerning this matter, please feel free to contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

MICROFILMED

FEB 06 1991

June 19, 1990

Theodore Z. Miller
455 Bob Barton Rd.
Jerome, ID 83338

Dear Mr. Miller:

Re: Permit Nos. 36-8223 and 36-8225

On May 11, 1990, I returned the proof of beneficial use forms and sent an assignment form. I suggested you submit the assignment form to record the actual ownership of the water right and property and also to modify the proof of beneficial use forms to make them acceptable for submittal.

To date, I have not received neither forms nor assignment. (Note that the proof of beneficial use forms were due on April 1, 1990). It is important to fulfill the proof of beneficial use condition of approval to keep the permit in good standing. Please return the forms by July 1, 1990 to avoid lapsing the permits.

If you have questions, please contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

MICROFILMED

FEB 06 1991

May 11, 1990

Theodore Z. Miller
455 Bob Barton Rd.
Jerome, ID 83338

Dear Mr. Miller:

Re: Permit No. 36-8225 and 36-8223

Enclosed are the front pages of each permit, an assignment form and the proof of beneficial use forms submitted for these permits.

Note the front pages of the permits and the assignment. With the execution and the return of the assignment, the permit holders will change to indicate you only. The reason this is important is that a water right permit is as personal property. As the permits are now, the other people listed have as much ownership to the water right as you do. By assigning the permits, the ownership changes to you, the property owner.

Next, change the proof of beneficial use forms by crossing through the name(s) of permit holders and indicating Theodore Z. Miller, then sign the forms as Theodore Z. Miller.

Upon receipt of the assignment and proof forms, the department will notify you of the change in our records.

If you have any questions, contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

MICROFILMED
FEB 06 1991

RECEIVED

RECEIVED

APR 5 1990

For Office Use Only
amt. of Fee \$ 100.00
date 4-4-90
Receipt No. 5811862
Received by [Signature]

APR 4 1990

STATE OF IDAHO
Department of Water Resources
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 36-8223 Telephone No. 324-4208

Name(s) of Permit Holder(s): C. Bar M. Dairy

Post Office Address: 2685 - 500W, Jerome, Ida 83338

Source of Water: groundwater - 3 wells

If ground water, well driller's name: Smith Date drilled: 4-8-81 5-5-79
4-22-80

Extent of Use:
Domestic 4 (No. of households) Irrigation 5 (No. of acres)
Stockwater 1100 (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 0.62 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 6-29-83

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes ☒ No Installed? Yes ☒ No

OR

Flow Measurement Port: Required? Yes ☒ No Installed? Yes ☒ No

Fee Enclosed: \$ 100.00 (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

Jane Ledbetter 324-4208
Name Telephone No.
2685 - 500W Jerome, Ida 83338
Address

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

4/4/90 Jane F Ledbetter - owner C. Bar M Dairy
Date Signature (and title if on behalf of a company or organization)

JAN 30 1996

138/03
January 31, 1990

RONALD CANTONE
JANE CANTONE
TED MILLER
FELICE MILLER
RT. 2 BOX 2487
JEROME, ID 83338

PROOF DUE NOTICE

RE: PERMIT NO. 36-08223

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before April 1, 1990. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

FEB 06 1991

CLAR M. SMITH
Rt 2 Box 2487
Jerome, ID 83338



RECEIVED

MAY 12 1988



MICROFILMED

FEB 06 1991

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 36-82223
Name(s) of Permit Holder(s): Ted & Felice Miller, and/or Ronald and/or Jane Cantore
Post Office Address: Rt 2 Box 2487
Jerome, ID 83338 Tel. (208) 324-3035

☒ I hereby certify that construction of diversion works on the above referenced permit began on 10/31/79 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control:

*Note: A financing difficulty is
not an acceptable reason.

5/10/86
Date

Jane Cantore
Signature of Permit Holder

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
MAY 06, 1986

CANTONE, RONALD & JANE
C/O JANE & RONALD CANTONE
RT. 2 BOX 2487
JEROME, ID 83338

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 36-8223

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

PLEASE NOTE THE REQUIREMENT THAT AS A PERMIT HOLDER YOU MUST COMMENCE THE EXCAVATION OR CONSTRUCTION OF DIVERTING WORKS WITHIN ONE YEAR OF THE DATE THE PERMIT WAS ISSUED, AND YOU MUST PROCEED DILIGENTLY UNTIL THE PROJECT IS COMPLETED. THE ENCLOSED BLUE CARD MUST BE COMPLETED AND RETURNED TO THIS OFFICE AS SOON AS YOU COMMENCE CONSTRUCTION, NO LATER THAN ONE YEAR FROM THE DATE THE PERMIT WAS APPROVED.

WE HAVE ENCLOSED A FORM ENTITLED "INSTRUCTIONS FOR PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

DRT: SC
ENCLOSURES

MICROFILMED

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Jerome } SS.

_____, being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 19th day of February 1986, and the date of the last publication was on the 26th day of February, 1986.

P. V. Langdon

Subscribed and sworn to before me this 26th day of February, 1986.
(SEAL)

Darla Grott
NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Numer of Picas per Line 13
Number of Lines in Notice 19
Number of Insertions 2

_____	Lines tabular at _____	5¢/Pica
<u>19</u>	Lines straight at <u>9.88</u>	4¢/Pica
<u>19</u>	Subsequent lines at <u>7.41</u>	3¢/Pica
TOTAL COST <u>17.29</u>		

COPY OF NOTICE

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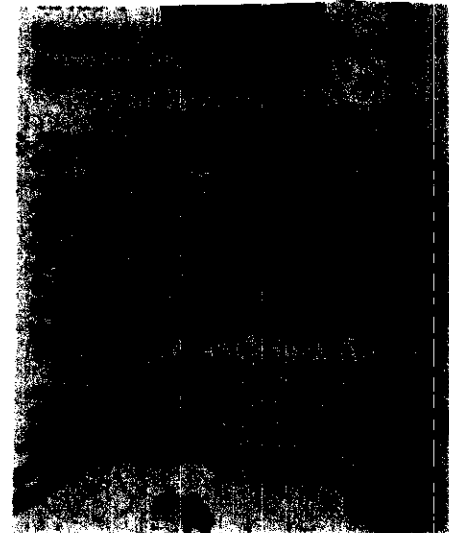
Dept of Water
TITLE OF NOTICE
#36-8223

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water
BUILT TO



PUBLICATION RATES

(Idaho Code, Rev. Statutes 1984)

7-8 pt. per line straight 4¢/Pica
7-8 pt. per line tabular 5¢/Pica
7-8 pt. per line successive
insertions 3¢/Pica

RECEIVED

No 2331
FEB 27 1986

Department of Water Resources
Southwest District Office

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

February 14, 1986

Northside News
P. O. Box 468
Jerome, Idaho 83338

Re: Notice of Correction - Application for Permit No. 36-8223

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary A. Newby
Sec/Office Coord.

Encl:

MICROFILMED

NOTICE OF CORRECTION

Notice is hereby given that Application for Permit No. 36-8223 in the name of Ted and/or Felice Miller and/or Jane Cantone and/or Ronald Cantone was advertised incorrectly on December 18 and 26, 1985. The place of use was advertised as being within the NENW, NWNW, Sec. 32, T8S, R16E. Whereas, the actual place of use is within the NESW, NWSW, Sec. 32, T8S, R16E.

Any protest to the above correction must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 on or before March 17, 1986.

A. KENNETH DUNN
Director

Published in Northside News on February 26 and March 5, 1986.

MICROFILMED

ok
mays

Notice of correction for water permit

NOTICE OF CORRECTION

Notice is hereby given that Application for Permit No. 36-8223 in the name of Ted and/or Felice Miller and/or Jane Cantone and/or Ronald Cantone was advertised incorrectly on December 18 and 26, 1985. The place of use was advertised as being within the NENW, NWNW, Sec. 32, T8S, R16E. Whereas, the actual place of use is within the NESW, NWSW, Sec. 32, T8S, R16E.

Any protest to the above correction must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 on or before March 17, 1986.

A. KENNETH DUNN
Director
2-19-2tc

NELSON, ROSHOLT, ROBERTSON, TOLMAN & TUCKER
Chartered

ATTORNEYS AT LAW
142 3RD AVE NO.

MAILING ADDRESS: P.O. BOX 1906
TWIN FALLS, ID 83303-1906
TELEPHONE (208) 734-0700

THOMAS G. NELSON
JOHN A. ROSHOLT
J. EVAN ROBERTSON
STEVEN K. TOLMAN
JAMES C. TUCKER

TERRY T. UHLING
F. BRUCE COVINGTON
LAIRD B. STONE
GARY D. SLETTE

February 5, 1986

RECEIVED

FEB 6 1986

Department of Water Resources
Southern District Office

Mr. Loren Holmes
Department of Water Resources
Southern Division
1041 Blue Lakes Blvd., No.
Twin Falls, Idaho 83301

Dear Loren:

This letter will serve to advise you that the following applications will be released from the "Swan Falls" lawsuit:

45-7557; 36-8223; 36-8185; and 37-8111.

You may proceed with the processing of these applications. If you have any questions, please advise.

Most sincerely,

Cindy

Cynthia S. Cranston-Felton
Paralegal

CSCF:tpk

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John A. Evans
Governor
A. Kenneth Dunn
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

December 16, 1985

Bob Bell, Regional Fisheries Biologist
Idaho Fish & Game Department
Region #4
P. O. Box 428
Jerome, Idaho 83338

Re: Application for Permit No. 36-8223, - 36-8185

Dear Mr. Bell:

Please find enclosed copies of the above referenced applications for permit for your information and files.

Very truly yours,

Mary A. Newby
Sec/Office Coord.

for

Loren O. Holmes
Southern Region Supervisor

Encl:

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

December 10, 1985

North Side News
P. O. Box 468
Jerome, Idaho 83338

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

Mary A. Newby
Sec/Office Coord.

Encl:

MICROFILMED

AFFIDAVIT ' PUBLICATION

State of Idaho, }
County of Jerome } SS.

P. J. JALMON
1981, 1982, 1983, 1984

being first duly sworn, deposes and says that he is the printer (publisher) of the Jerome North Side News, a newspaper published every week in Jerome, County of Jerome, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 18th day of December 1985, and the date of the last publication was on the 26th day of December, 1985

Subscribed and sworn to before me this 26th day of December, 1985.
(SEAL)

Darla Bratt
NOTARY PUBLIC

NORTH SIDE NEWS
Jerome, Idaho

COST OF PUBLICATION

Numer of Picas per Line 13
Number of Lines in Notice 57
Number of Insertions 2

Lines tabular at 5/Pica
59 Lines straight at 30.68 4/Pica
59 Subsequent lines at 23.01 3/Pica
TOTAL COST 53.69

COPY OF NOTICE

(Paste Here)

36-8248-9185-8223
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water
BILL TO

Water permits sought for Jerome properties

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following applications have been submitted for permit to appropriate the public waters of the State of Idaho:

36-8248
CALKINS, GREGORY R. &/or JOHANNA E., BIG TREES - RV PARK, P.O. BOX 366, JEROME, ID 83338

Source: GROUNDWATER
Date Filed: 06/28/1984
Diversion Pt: NESE Sec 34 T 08S R 16E

Use: DOMESTIC (0.04 CFS)
In: NESE Sec 34 T 08S R 16E

36-8195
BOSSERMAN, GENE, RT. 3, JEROME, ID 83338

Source: GROUNDWATER
Date Filed: 06/18/1983
Diversion Pt: NWSW Sec 09 T 08S R 17E

Use: IRRIGATION (0.42 CFS)
STOCKWATER (0.02 CFS)
DOMESTIC (0.20 CFS)
In: NWSW Sec 09 T 08S R 17E for 21 ACRES

36-8223
MILLER, TED
MILLER, FELICE
CANTON, RONALD
CANTON, JANE
C/O RONALD CANTON, RT. 2 BOX 2487, JEROME, ID 83338

Source: GROUNDWATER
Date Filed: 08/29/1983
Diversion Pt: NESW NWSW Sec 32 T 08S R 16E

Use: IRRIGATION (0.20 CFS)
STOCKWATER (0.82 CFS)
COMMERCIAL (0.62 CFS)
DOMESTIC (0.10 CFS)
In: NENW NWSW Sec 32 T 08S R 16E for 10 ACRES

If issued, the permits will be subject to all prior water rights. No claim against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources. The Department of Water Resources is not responsible for the accuracy of the information furnished by the applicant.

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application (s) have been submitted for permit to appropriate the public waters of the State of Idaho:

36-8223

MILLER, TED
MILLER, FELICE
CANTON, RONALD
CANTON, JANE

C/O RONALD CANTON

RI. 2 BOX 2487, JEROME, ID 83338

Source: GROUNDWATER

Date Filed: 06/29/1983

Diversion Pt: NESW NWSW Sec 32 T 08S R 16E

Use: IRRIGATION	(0.20 CFS)
STOCKWATER	(0.62 CFS)
COMMERCIAL	(0.62 CFS)
DOMESTIC	(0.10 CFS)

In: NENW NWNW Sec 32 T 08S R 16E For 10 ACRES

If issued the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301 and received on or before January 6, 1985.

A. KENNETH DUNN
Director

Published December 18 and 25, 1985.

MICROFILMED

38-8223

MILLER, TED

MILLER, FELICE

CANTON, RONALD

CANTON, JANE

C/O RONALD CANTON, RT. 2 BOX
2487, JEROME, ID 83338

Source: GROUNDWATER

Date Filed: 06/29/1983

Diversion Pt: NESW NWSW Sec 32
T 08S R 16E

Use: IRRIGATION (0.20 CFS)

STOCKWATER (0.62 CFS)

COMMERCIAL (0.62 CFS)

DOMESTIC (0.10 CFS)

In: NENW NWNW Sec 32 T 08S R
16E for 10 ACRES

If issued, the permits will be subject
to all prior water rights. Protests
against the granting of any permit
must be filed with the Director of the
Idaho Department of Water
Resources, 1041 Blue Lakes Blvd. North,
Twin Falls, Idaho 83301 and received
on or before January 6, 1985.

A. KENNETH DUNN

Director

12-18-2tc

sb
mayer
12/6/85